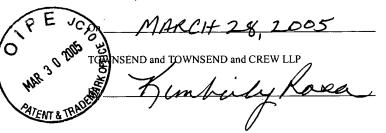
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Attorney Docket No.: 016325-003721US

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kenneth L. Luskey, et al.

Application No.: 10/660,112

Filed: September 10, 2003

For: USE OF (-) (3-

TRIHALOMETHYLPHENOXY) (4-HALOPHENYL) ACETIC ACID DERIVATIVES FOR TREATMENT OF INSULIN RESISTANCE, TYPE 2 DIABETES, HYPERLIPIDEMIA AND

HYPERURICEMIA

Examiner: Cook, Rebecca

Art Unit: 1614

INFORMATION DISCLOSURE

STATEMENT UNDER 37 CFR §1.97 and

§1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

The references cited on attached form PTO/SB/08A and PTO/SB/08B are being called to the attention of the Examiner. Copies of the U.S. Patent references (Ref. Nos. 1-22) are not enclosed herewith. In accordance with 37 CFR §1.98(d), copies of Reference Nos. 23-26 and 31-96 can be found in Application No. 09/703,487, filed Oct. 31, 2000 (now U.S. Pat. No. 6,646,004, issued Nov.11, 2003, Attorney Docket No. 016325-003720US), and Application No. 09/325,997, filed June 4, 1999 (now U.S. Pat. No. 6,262,118, issued July 17, 2001, Attorney

03/31/2005 AWONDAF1 00000092 201430 10660112

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Page 2

Docket No. 016325-003700US). Copies of the remaining references (Ref. Nos. 27-30) are enclosed herewith.

It is respectfully requested that the cited references be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that <u>no fee is required</u> for submission of this statement. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 20-1430. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

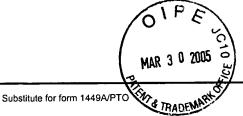
Respectfully submitted,

Frank J. Mycroft Reg. No. 46,946

TOWNSEND and TOWNSEND and CREW LLP Two Embarcadero Center, Eighth Floor San Francisco, California 94111-3834

Tel: 925-472-5000 Fax: 925-472-8895

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 6

	Complete if Known
Application Number	10/660,112
Filing Date	September 10, 2003
First Named Inventor	Luskey, Kenneth L.
Art Unit	1614
Examiner Name	Cook, Rebecca
Attorney Docket Number	016325-003721US

			U.S. PATENT DO	CUMENTS+	
Examiner Initials*	Cite No.1	Document Number Number Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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				FOREIGN PA	TENT DOCUME	NTS		
Eurominos Ci	Cite	Foreign Patent Document			Name of Patentee or	Pages, Columns, Lines, Where Relevant		
Examiner Initials*	No.1	Country Code ³	Number⁴	Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Applicant of Cited Document	Passages or Relevant Figures Appear	T ⁶
	23	CA	967,978		05-1975	<u> </u>		
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	26	wo	92/17435	5	10-1992	Boehringer Mannheim GmbH		

Examiner Signature	Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional).
Kind Codes of U.S. Patent Documents at www.uspto.gov or MPEP 901.04.
Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).
For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.
Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.
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Substitu	ite for form 1449A/PT	О.			Complete if Known
				Application Number	10/660,112
INFO	ORMATION	l DI	SCLOSURE	Filing Date	September 10, 2003
STA	TEMENT E	SY A	APPLICANT	First Named Inventor	Luskey, Kenneth L.
				Art Unit	1614
	(use as many sh	eets a	s necessary)	Examiner Name	Cook, Rebecca
Sheet	2	of	6	Attorney Docket Number	016325-003721US

	FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No.1	For	eign Patent Docu Number ⁴	iment Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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	28	wo	00/74666	A2	12-14-2000	Metabolex, Inc. et al.		
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Signature	 Considered	

Complete if Known Substitute for form 1449B/PTO 10/382,186 Application Number INFORMATION DISCLOSURE March 4, 2003 Filing Date STATEMENT BY APPLICANT First Named Inventor Luskey, Kenneth L. Art Unit 1614 (use as many sheets as necessary) Examiner Name Cook, Rebecca Attorney Docket Number 016325-003740US Sheet

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
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	-	NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
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Applicant's unique citation designation number (optional). Applicant is to place a check mark here if English language Translation is attached. 60438345 v1

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Signature	Considered	